

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1590
SPONSOR: Health, Aging, and Long-Term Care Committee, Senators Fasano, Miller, Margolis, and others
SUBJECT: Certified Stroke Treatment Centers
DATE: March 16, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	Wilson	HC	Fav/CS
2.			AHS	
3.			AP	
4.				
5.				
6.				

I. Summary:

This bill directs the Agency for Health Care Administration (AHCA) to create a list of primary and comprehensive stroke centers and to adopt rules establishing criteria for these two types of centers. The bill requires the Department of Health (DOH) to distribute the list of primary and comprehensive stroke centers to the medical director of each licensed emergency medical services (EMS) provider in Florida and to develop a stroke triage assessment tool. Licensed EMS providers must use the stroke triage assessment tool, and they must develop and use protocols for assessment, treatment, and transportation-destination protocols for stroke patients.

This bill creates five unnumbered sections of law.

II. Present Situation:

Stroke

A stroke occurs when the blood supply to a part of the brain is suddenly interrupted (ischemic) or when a blood vessel in the brain bursts, spilling blood into the spaces surrounding the brain cells (hemorrhagic)¹. Symptoms of a stroke include sudden numbness or weakness, especially on one side of the body; sudden confusion or trouble speaking or understanding speech; sudden trouble seeing in one or both eyes; sudden trouble walking; dizziness; or loss of balance or coordination. The symptoms of stroke can also be symptoms of other medical problems. Stroke is diagnosed through several techniques: a short neurological examination, blood tests, CT scans, MRI scans,

¹ NINDS Stroke Information Page, National Institute of Neurological Disorders and Stroke, http://www.ninds.nih.gov/health_and_medical/disorders/stroke.htm

Doppler ultrasound, and arteriography. According to the U.S. Centers for Disease Control and Prevention, stroke is the third leading cause of death after heart disease and cancer, and it is a leading cause of serious, long-term disability. Stroke was the cause of death for 10,243 Florida residents in 2002.

Hospital Licensure

Florida hospitals are licensed by AHCA under chapter 395, F.S., and the law requires AHCA to inspect hospitals, or to cause inspections to be made, to ensure compliance with licensure and safety requirements. Surveys or inspections of accrediting organizations such as the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) are accepted as licensure surveys by the state. There is no state licensure or certification in Florida for stroke centers. In November 2003, JCAHO began a Primary Stroke Care Certification program for the purpose of recognizing hospital stroke care programs that meet national quality standards that raise the level of care provided to patients suffering from stroke. Five hospitals have been certified and an additional 11 organizations have applied for certification; none of these hospitals is in Florida.

Emergency Medical Services

Emergency medical services are governed by chapter 401, F.S., and administered by DOH, which:

- Regulates, by licensure, permit, and certification, ground and air ambulance providers and vehicles, and emergency medical technicians and paramedics and their training programs;
- Provides grant funds to organizations to improve and expand Florida's EMS systems; and
- Oversees injury prevention programs and statewide trauma systems development and trauma center verification.

III. Effect of Proposed Changes:

Section 1. Provides legislative findings and intent, including the following findings:

- That rapid identification, diagnosis, and treatment of stroke can save the lives of stroke victims and in some cases can reverse paralysis, leaving them with few or no neurological deficits.
- That a strong system for stroke survival is needed in our communities in order to treat stroke victims in a timely manner and to improve the overall treatment of stroke victims.

The bill states that the Legislature intends to promote the development of an emergency treatment system which will provide that stroke victims may be quickly identified and transported to, and treated in, facilities that have specialized programs for providing timely and effective treatment for stroke victims.

Section 2. Provides definitions, as follows:

- *Agency* means the Agency for Health Care Administration.
- *Department* means the Department of Health.

Section 3. Requires AHCA to make available on its website and to DOH a list of the names and addresses of hospitals that meet the criteria for a primary stroke center and the names and addresses of hospitals that meet the criteria for a comprehensive stroke center. The list of primary and comprehensive stroke centers must include only those hospitals that attest in an affidavit submitted to AHCA that the hospital meets the named criteria or those hospitals that attest in an affidavit submitted to the agency that the hospital is certified as a primary or comprehensive stroke center by JCAHO.

A hospital that no longer chooses to meet the criteria for a primary or comprehensive stroke center must notify AHCA, and AHCA must immediately remove the hospital from the list. This provision does not apply if the hospital is unable to provide stroke treatment services for a period of time not to exceed 2 months. The hospital must immediately notify all local emergency medical services providers when the temporary unavailability of stroke treatment services begins and when the services resume. If stroke treatment services are unavailable for more than 2 months, AHCA must remove the hospital from the list of primary or comprehensive stroke centers until the hospital notifies AHCA that stroke treatment services have been resumed.

By February 15, 2005, AHCA must notify all hospitals in Florida that the agency is compiling a list of primary stroke centers and comprehensive stroke centers in the state. The notice must include an explanation of the criteria necessary for designation as a primary stroke center and the criteria necessary for designation as a comprehensive stroke center. The notice must also advise hospitals of the process by which a hospital might be added to the list of primary or comprehensive stroke centers.

The Agency for Health Care Administration must adopt rules establishing criteria for a primary stroke center that are substantially similar to the JCAHO certification standards for primary stroke centers. AHCA must adopt rules establishing the criteria for a comprehensive stroke center. If JCAHO establishes criteria for a comprehensive stroke center, AHCA must establish criteria for a comprehensive stroke center that are substantially similar to JCAHO's criteria.

The contents of the bill do not constitute a medical practice guideline and they may not be used to restrict the authority of a hospital to provide services for which it has received a license under chapter 395, F.S. The bill states the Legislature's intent that all patients be treated individually based on each patient's needs and circumstances.

Section 4. Prohibits a person's advertising to the public that a hospital is a state-listed primary or comprehensive stroke center unless the hospital has provided notice to AHCA as required in this bill.

Section 5. Requires DOH to send the list of primary stroke centers and comprehensive stroke centers to the medical director of each emergency medical services provider in the state. The Department of Health must develop a sample stroke triage assessment tool, post the tool on its website, and provide a copy of a sample assessment tool to each licensed EMS provider no later than June 1, 2005. Each EMS provider must use a stroke-triage assessment tool that is substantially similar to the sample tool provided by DOH.

The medical director of each licensed EMS provider must develop and implement assessment, treatment, and transport-destination protocols for stroke patients with the intent to assess, treat, and transport stroke patients to the most appropriate hospital. Each licensed EMS provider must comply with all of the provisions of the act by July 1, 2005.

Section 6. Provides an effective date of July 1, 2004.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

There would be a cost to private emergency medical service providers. The cost would be associated with developing and maintaining assessment, treatment, and transportation-destination protocols for stroke patients.

C. Government Sector Impact:

The Agency for Health Care Administration would incur the cost of creating a list of primary and comprehensive stroke centers and developing and adopting rules.

The Department of Health would incur the cost of developing a stroke triage assessment tool and distributing the list of primary and comprehensive stroke centers.

Cities and counties that operate emergency medical services and fire services would incur the cost of developing and maintaining assessment, treatment, and transportation-destination protocols for stroke patients.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
